

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ZAMEER RIAZ AZAM,
Petitioner,

No. C 06-5497 MHP (pr)

ORDER OF DISMISSAL

v.

ALAMEDA COUNTY
SUPERIOR COURT; et al.,
Respondents.

Petitioner seeks a writ of habeas corpus under 28 U.S.C. § 2241 and § 2254 for alleged constitutional violations during child custody proceedings in state court which resulted in the termination of his parental rights and a restraining order precluding his contact with his child. It is well established that federal habeas is not available to challenge parental rights or child custody decisions. See Lehman v. Lycoming County Children's Servs., 458 U.S. 502, 508-16 (1982). To extend the federal writ of habeas corpus into such areas of family law would be an unprecedented expansion of the jurisdiction of the lower federal courts. See id. at 512. The petition is DISMISSED with prejudice.

The in forma pauperis application is DENIED. (Docket # 2.) The clerk shall close the file.

IT IS SO ORDERED.

DATED: December 20, 2006


Marilyn Hall Patel
United States District Judge